

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LATONYA VANDERVEER

v.

FEDEX GROUND PACKAGE SYSTEM,
INC., ET AL.

:
:
:
:
:
:
:

CIVIL ACTION

NO. 16-1979

ORDER

AND NOW, this 19th day of May, 2017, upon consideration of Defendants' Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 20), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is granted in part and denied in part as follows:

1. The Motion is **GRANTED** with respect to Plaintiff's Americans with Disabilities Act claim against Defendant FedEx Ground (Count IV). Count IV is **DISMISSED**.
2. The Motion is **DENIED** with respect to Plaintiff's Title VII claims of race and gender discrimination against Defendant FedEx Ground (Count I).
3. The Motion is **DENIED** with respect to Plaintiff's Title VII claim of hostile work environment against Defendant FedEx Ground (Count II).
4. The Motion is **DENIED** with respect to Plaintiff's 42 U.S.C. § 1981 claim of race discrimination against all Defendants (Count III).

5. The Motion is **DENIED** with respect to Plaintiff's Pennsylvania Human Relations Act claim against all Defendants (Count V).

IT IS SO ORDERED.

BY THE COURT:

A handwritten signature in dark ink, appearing to read 'R. Surrick', is written over a faint horizontal line.

R. BARCLAY SURRICK, J.